

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

HENRY SMITH,

Petitioner,

v.

**WILLIAM STEPHENS, Director,
Texas Department of Criminal
Justice, Correctional Institutions Division,**

Respondent.

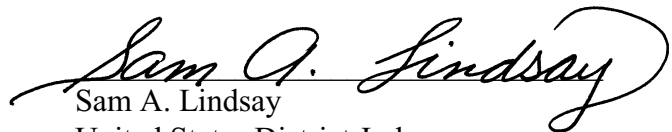
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Civil Action No. **3:13-CV-92-L**

ORDER

This section 2254 habeas case was referred to Magistrate Judge Irma Carrillo Ramirez, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on March 7, 2014, recommending that the action be stayed until Petitioner exhausts his state court remedies. No objections to the Report were filed. After carefully reviewing the pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Rather than stay the case, the court **directs** the clerk of the court to **administratively close** the case. After Petitioner exhausts his state court remedies, he shall move within **30 days** to reopen this case after the Court of Criminal Appeals has ruled on his state writ. Failure to do so will result in dismissal of this action without prejudice pursuant to Federal Rule of Federal Procedure 41(b).

It is so ordered this 27th day of May, 2014.


Sam A. Lindsay
United States District Judge